

10/581495

AP3 Rec'd PCT/PTO 02 JUN 2006

Docket No.: 1254-0315PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hisatoshi SHIDA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: June 2, 2006

Art Unit: N/A

For: HIGHLY SAFE SMALLPOX VACCINE
VIRUS AND VACCINIA VIRUS VECTOR

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

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Those documents which are marked with a double asterisk (**) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number PCT/JP2003/015632, filed December 5, 2003 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for

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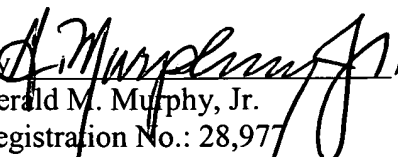
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any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 2, 2006

Respectfully submitted,


B
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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	NEW
				Filing Date	June 2, 2006
				First Named Inventor	Hisatoshi SHIDA
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	1254-0315PUS1
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA**	WO-90/12101-A	10-18-1990			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ** CITE NO.: Those document(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA**	MASANOBU SUGIMOTO et al., Kokusan Ten'ento Vaccine no Aratana Yakuwari, Protein, Nucleic acid and Enzyme, September 2003, pp. 1693-1701, Vol. 48, No. 12.	
	CB**	E MATHEW et al., The extracellular domain of vaccinia virus protein B5R affects plaque phenotype, extracellular enveloped virus release and intracellular actin tail formation, J.Virol., 1998, pp. 2429-38, Vol. 72, No. 3.	
	CC**	E HERRERA et al., Functional analysis of vaccinia virus B5R protein: essential role in virus envelopment is independent of a large protein of the extracellular domain., J. Virol, 1998, pp. 294-302, Vol. 72, No.1.	
	CD**	EJ WOLFFE et al., Deletion of the vaccinia virus B5R gene encoding a 42-kilodalton membrane glycoprotein inhibits extracellular virus envelope formation and dissemination, J.Virol, 1993, pp. 4732-41, Vol. 67, No. 8.	
	CE**	EC MATHEW et al., A mutational analysis of the vaccinia virus B5R protein, J.Gen.Virol, 2001, pp. 1199-1213, Vol. 82, Pt. 5.	
	CF**	MM LORENZO et al., Functional analysis of vaccinia virus B5R protein: role of the cytoplasmic tail, Virology, 1998, pp. 450-457, Vol. 252, No. 2.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ** CITE NO.: Those document(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120.

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Examiner Signature		Date Considered	
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Birch, Stewart, Kolasch & Birch, LLP

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